

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

IN RE PHARMACEUTICAL INDUSTRY	)	
AVERAGE WHOLESALE PRICE	)	MDL No. 1456
LITIGATION	)	
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THIS DOCUMENT RELATES TO:	)	CIVIL ACTION: 01-CV-12257-PBS
	)	
ALL ACTIONS	)	Judge Patti B. Saris
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**NOTICE OF FILING UNDER SEAL**

To: All Counsel of Record

Please take notice that on May 8, 2006, we, as attorneys for plaintiffs, caused to be filed under seal with the Clerk of the United States District Court for the District of Massachusetts the following items:

1. Declaration of Donald E. Haviland, Jr., Esquire in Support of Plaintiffs' Motion to Certify Claims With Respect to Track 2 Defendants; and
2. Affidavit of Glenn Randle;

DATED: May 8, 2006

By /s/ Steve W. Berman  
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**CERTIFICATE OF SERVICE**

I hereby certify that I, Steve W. Berman, an attorney, caused a true and correct copy of the foregoing **NOTICE OF FILING UNDER SEAL** be delivered to all counsel of record by electronic service pursuant to Paragraph 11 of the Case Management Order No. 2, by sending on May 8, 2006, a copy to LexisNexis File and Serve for Posting and notification to all parties

By /s/ Steve W. Berman

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